



राजपत्र, हिमाचल प्रदेश

(असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

शिमला, मंगलवार, 20 अक्तूबर, 1970/28 आश्विन, 1892

GOVERNMENT OF HIMACHAL PRADESH

LOCAL SELF GOVERNMENT DEPARTMENT

NOTIFICATION

Simla-2, the 9th September, 1970

No. 1-14/70-LSG.—In exercise of the powers conferred by sections 255 and 273 of the Himachal Pradesh Municipal Act, 1968, (Act No. 19 of 1968) the Administrator (Lieutenant Governor), Himachal Pradesh, proposed to make the following draft rules entitled as the Himachal Pradesh, Municipalities (Wards) Rules, 1970 and the same are hereby published in the Official Gazette for the information of persons likely to be affected thereby and a notice is hereby given that the draft rules will be taken into consideration after 30 days from the date of publication in the Gazette.

If any person affected by, or, desires to take any objection, or has any suggestion to make, regarding these draft rules, he can send the same to the Secretary, Local Self Government Department to Himachal Pradesh Government, before the expiry of the above period. The objection or suggestions, if any, so received, will be taken into consideration before making such rules.

1. *Short title and commencement.*—(i) These rules may be called the Himachal Pradesh Municipalities (Wards) Rules, 1970.

(ii) They shall come into force with immediate effect.

2. *Definitions.*—In these rules unless the context otherwise requires,—

(a) 'Act' means the Himachal Pradesh Municipal Act, 1968 (Act No. 19 of 1968).

(b) 'Director of Elections, Local Bodies', means any person who is appointed by the State Government to perform the functions of Director of Elections Local Bodies.

(c) 'Municipality' means a Municipal Committee established by or under the Himachal Pradesh Municipal Act, 1968.

(d) 'State Government' means the Government of Himachal Pradesh.

(e) 'ward' means ward of a municipality.

(f) 'Deputy Commissioner' or 'Deputy Commissioner of the District' includes additional Deputy Commissioner, Joint Deputy Commissioner or any person or persons at any time appointed by the State Government to perform in any district or districts the functions of a Deputy Commissioner under this Act;

(g) Words and expressions used but not defined in these rules shall have the meaning assigned to them in the Act.

3. *Municipality to be divided into wards.*—Each Municipality shall be divided into wards equal to the number of members to be elected as determined by the State Government under sections 10 and 11 of the Himachal Pradesh Municipal Act, 1968.

4. *Limits of wards.*—In dividing the municipality into wards and defining the limits of each such ward and in fixing the number of members to be elected for each ward and of seats to be reserved for the scheduled castes and scheduled tribes, regard shall be had to the following provisions, namely:—

(a) every ward shall elect only one member;

(b) all the wards shall, as far as practicable, be compact areas;

(c) as far as possible the number of voters in each ward shall be evenly distributed;

(d) the limits of each ward shall be defined in all the four directions as follows:—

(i) bounded on the North by,

(ii) bounded on the East by,

(iii) bounded on the South by,

(iv) bounded on the West by,

(e) seats reserved either for the scheduled castes or for the scheduled tribes shall, as far as practicable, be allotted in the wards in which the population of the scheduled castes or as the case may be of the scheduled tribes is most concentrated on the basis of latest census.

5. *Name of Ward.*—Each ward shall be known by number given to that ward serially. In addition to a name to the ward shall also be given.

6. *Proposal to divide the municipality into wards and to define the limits of each such ward.*—(1) For dividing a municipality into wards and defining the limits of each such ward, the Deputy Commissioner shall submit to the Director of Elections Local Bodies Himachal Pradesh proposal for dividing the municipality into wards and defining the limits of each such ward. The proposals of the Deputy Commissioner shall be accompanied by a statement showing the population in the proposed wards and also a map showing the limits of the wards. The Deputy Commissioner may, for the preparation of such proposals, order the Municipality to furnish by a specified date such information as may be necessary to formulate such proposals and the Municipality shall comply with such orders. If the Municipality fails to comply with the orders of the Deputy Commissioner by the specified date, the Deputy Commissioner, shall formulate his own proposals at the cost of the Municipality and send them to the Director of Elections Local Bodies Himachal Pradesh.

(2) The Director of Elections Local Bodies Himachal Pradesh, shall cause the proposals for dividing the municipality into wards and defining the limits of each such ward to be published by making a copy thereof available for inspection at the office of the Municipality and displaying a notice in the Form appended to these rules:

(a) at the office of the Deputy Commissioner;

(b) at the office of the Municipality concerned, and publicity to the said notice shall also be given by beat of drums throughout the limits of the municipality.

(3) Any adult inhabitant may, if he objects to anything contained in the proposals, or suggests anything submit his objections or suggestions in writing, to the Deputy Commissioner within thirty days from the date of the publication of the notice and all objections or suggestions so received, shall, within fifteen days thereof be forwarded by the Deputy Commissioner to the Director of Elections Local Bodies Himachal Pradesh with his comments thereon.

(4) On receipt of the objection or suggestions along with the comments of the Deputy Commissioner, the Director of Election Local Bodies Himachal Pradesh may, after considering the same and passing orders thereon divide the municipality into wards and define the limits of each such ward.

7. *Rules to be general.*—These rules shall be general for all the Municipalities.

8. *Repeal and Savings.*—Any rules corresponding to these rules in force immediately before the commencement of these rules and applicable to the municipalities to whom these rules apply are hereby repealed:

Provided that any order made or action taken under the rules so repealed shall be deemed to have been made or taken under the corresponding provisions of these rules.

FORM

[See Sub-rule (2) of Rule 6]

Notice of publication of the proposals for dividing the municipality into wards and defining the limits of each such ward.

Notice is hereby given that the proposals for dividing the..... municipality into....., wards and defining the limits of each such ward will be available for inspection at the office of the Municipality during the office hours.

Every objection or suggestion to anything contained in the said proposals shall be submitted in writing to the Deputy Commissioner, District....., within thirty days from the date of publication of this notice.

PLACE

DATE

Director of Elections,

Local Bodies.

By order, .

D. B. LAL,

Secretary.